

FILED: December 30, 2024

UNITED STATES COURT OF APPEALS  
FOR THE FOURTH CIRCUIT

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No. 23-1129  
(3:22-cv-00035-NKM-RSB)

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RASHALL M. BRACKNEY-WHEELOCK, Ph.D.,

Plaintiff - Appellant,

v.

CITY OF CHARLOTTESVILLE; CHARLES BOYLES, a/k/a Chip, Former City Manager with Charlottesville; LISA ROBERTSON, City Attorney; HEATHER HILL, Former City Councilor; LLOYD SNOOK, City Councilor, Current Mayor of Charlottesville; SENA MAGILL, City Councilor; BELLAMY BROWN, Former Police Civilian Review Board Chair (PCRB); LATROY DURRETTE, a/k/a Tito, Assistant Police Chief; JAMES MOONEY, Former Assistant Police Chief; MICHAEL WELLS, Police Benevolent Association, Central Virginia Chapter President; BRIAN WHEELER, Communications Director and FOIA Officer for the City of Charlottesville,

Defendants - Appellees.

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O R D E R

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Appellees have filed a motion to dismiss this appeal based on Appellant's failure to comply with this court's rules and with its directives to file a proper joint appendix. Appellant filed a response, asserting that the rules do not limit the number

of times an appellant can file a corrected appendix, nor do they require dismissal for correcting the joint appendix. Upon review of these submissions, the court grants Appellees' motion to dismiss the appeal. Despite numerous opportunities and repeated instructions from this court, Appellant has failed to file a joint appendix that conforms to the court's rules and directives. Appellant has not offered any explanation or demonstrated any cause for this failure. Accordingly, we dismiss the appeal for failure to prosecute.

Entered at the direction of panel: Judge Niemeyer, Judge Richardson, and Judge Benjamin.

For the Court

/s/ Nwamaka Anowi, Clerk